

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

**NEW YORK LIFE INSURANCE AND
ANNUITY CORPORATION,**

Plaintiff,

v.

**BARBARA BROWN FAMILY TRUST
DTD 3/12/2010; BARBARA JEAN
BROWN LIVING TRUST DTD
3/12/2010; SHARON KAY BRITTON
AND KEN BRITTON, AS CO-
TRUSTEES OF THE BARBARA JEAN
BROWN FAMILY TRUST DTD
3/12/2010; BARBARA JEAN BROWN
LIVING TRUST DTD 5/29/2018; BOB
SHELTON, AS TRUSTEE OF
BARBARA JEAN BROWN LIVING
TRUST DTD 5/29/2018,**

Defendants.

Civil Action No. 4:21-cv-00490-O

**DEFENDANT BOB SHELTON, AS TRUSTEE OF BARBARA JEAN BROWN
LIVING TRUST DTD 5/29/2018 MOTION REGARDING DEADLINE TO
FILE REPLY TO PLAINTIFF'S RESPONSE TO RULE 59(e)
MOTION TO ALTER OR AMEND JUDGMENT/MOTION FOR RECONSIDERATION**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

On August 27, 2021, Shelton filed his Rule 59(e) Motion to Alter or Amend Judgment/Motion for Reconsideration. Because counsel for Shelton has a preplanned anniversary trip to New York City from August 28, 2021 thru September 4, 2021 and because September 5, 2021 is a Sunday and September 6, 2021 is a National Holiday, Shelton respectfully moves that this Court

not Order a Reply to Plaintiff's Response be due until on or before September 10, 2021 or any day thereafter. This Motion is unopposed by counsel for Plaintiff.

Respectfully submitted,

/s/ Harvey G. Joseph

HARVEY G. JOSEPH

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ATTORNEY FOR BOB SHELTON, AS TRUSTEE OF
BARBARA JEAN BROWN LIVING TRUST DTD 5/29/2018

CERTIFICATE OF CONFERENCE

The undersigned personally conferred with counsel for NYLIAC who is unopposed to the granting of this Motion. The undersigned personally conferred with co-defendants Sharon and Ken Britton via Sharon Britton. Sharon Britton informed me that she had hired counsel named Lisa Jamieson but as of the filing of this Motion Ms. Jamieson has not entered a Notice of Appearance. The undersigned then attempted to confer with Ms. Jamieson but was unable to reach her and the time constraints require this Motion to be filed. The undersigned will supplement this Certificate of Conference as soon as he is able to confer with Ms. Jamieson.

/s/ Harvey G. Joseph

HARVEY G. JOSEPH

CERTIFICATE OF SERVICE

This is to certify that on this, the 26th day of August, 2021, a true and correct copy of the foregoing document has been personally served, as indicated below:

Ms. Linda G. Moore
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/s/ Harvey G. Joseph
HARVEY G. JOSEPH